

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

---

United States of America,

Crim. No. 11-228 (MJD/JJK)

Plaintiff,

v.

(3) Patrick Joseph Kiley,  
*also known as Pat Kiley;*

**ORDER**

Defendant.

---

Tracy L. Perzel, Esq., and David J. MacLaughlin, Esq., Assistant United States Attorneys,  
counsel for Plaintiff.

David E. Zins, Esq., Attorney at Law, and H. Nasif Mahmoud, Esq., McKenzie, Wilkes &  
Mahmoud, counsel for Defendant Kiley.

---

The above matter comes before the Court upon the Report and Recommendation of  
United States Magistrate Judge Jeffrey J. Keyes dated October 18, 2011. No objections have  
been filed to that Report and Recommendation in the time period permitted. Based on the  
Report and Recommendation of the Magistrate Judge, on all of the files, records, and  
proceedings herein, the Court now makes and enters the following Order.

**IT IS HEREBY ORDERED** that:

1. Defendant Kiley's Motion to Dismiss (**Doc. No. 93**), is **DENIED**; and
2. Defendant Kiley's Motion to Suppress Statements of Patrick J. Kiley (**Doc. No. 95**), is **DENIED**.

Date: November 9, 2011

s/Michael J. Davis  
MICHAEL J. DAVIS  
Chief Judge  
United States District Court